

**M E M O R A N D U M**

TO: President A. D. Albright  
FROM: Ruth Davis *rd*  
DATE: June 6, 1987  
SUBJECT: Staff Congress Constitution and Bylaws

Would you please look over the constitution again and, if you would like to do so, the bylaws. The changes were made that Governor Nunn suggested.

Also attached is a copy of Northern's constitution and bylaws. I found in going through them, especially the constitution, that the wording of our original constitution was almost word-for-word like Northern's constitution.

You have been a big help to us, and me in particular, with your suggestions and encouragement.

Attachments

## **CONSTITUTION**

### **Morehead State University**

#### **Staff Congress**

#### **PREAMBLE**

In order to create a stronger bond within the staff, to promote cooperation among the administration, faculty, students, and staff of Morehead State University; we, the staff of this University, do establish a Congress as our representative body. The Staff Congress is established as an advisory body reporting to the University's chief executive officer. Further, we pledge to administer faithfully the policies and objectives which best fulfill the needs, concerns, and interests of the University in achieving its educational goals.

#### **ARTICLE I - NAME**

This organization shall be known as the Morehead State University Staff Congress.

## ARTICLE II - PURPOSE

The Morehead State University Staff Congress is the official representative of the staff of the University, and is responsible for eliciting and expressing opinions, suggestions, and recommendations of the staff on all matters of concern to them. The Staff Congress will be responsible for continual review of University policies, documents, and decisions affecting staff and may make recommendations concerning these matters, when appropriate, to the University administration. The Staff Congress may request appropriate information necessary to discharge its responsibilities. The Staff Congress may seek representation on appropriate University Standing Committees, in the development and implementation of policies and procedures, and in all aspects of University governance that affect staff.

## ARTICLE III - REPRESENTATION

The Staff Congress represents all staff employees at the University. A staff employee is defined in the Personnel Policy Manual, PG - 2, items 3 and 4, which states:

3. Staff Exempt--Those individuals whose primary responsibilities are the performance of professional, administrative, and supervisory work as defined by the Fair Labor Standards Act. Designation in this category

is the responsibility of the Director of Personnel Services.

4. Staff Nonexempt--Those individuals who perform technical, paraprofessional, secretarial, clerical, service, maintenance, and/or skilled trades work and who are designated as nonexempt under the Fair Labor Standards Act. Designation in this category is the responsibility of the Director of Personnel Services.

Staff employment categories and representation are further defined in the Bylaws.

#### ARTICLE IV - MEMBERSHIP AND ELIGIBILITY

Section 1. The Staff Congress consists of Representatives who are eligible staff members and who were elected by eligible staff members of their respective category. The date and manner of elections shall be determined in the Bylaws of the Staff Congress.

Section 2. The total membership of the Staff Congress shall consist of not more than thirty Representatives.

Section 3. Each permanent staff member with a minimum of one year continuous University employment is eligible to vote and to seek election.



Section 4. Representatives shall be elected for a term of three years excluding the first election. Terms for the first elect' are defined in the Bylaws. Each Representative may retain his/her Congress seat until an election has been conducted to elect a successor, and the successor has been seated.

Section 5. Each Representative has one vote and may not vote by proxy.

Section 6. Any Representative may be removed from the Staff Congress for cause, as defined in the Bylaws, by a two-thirds vote of his/her constituency.

#### **ARTICLE V - OFFICERS**

Section 1. Officers. The Staff Congress shall elect three officers from its membership: Chair; Vice Chair; and Secretary of the Morehead State University Staff Congress.

Section 2. Eligibility. Each member elected to the Staff Congress is eligible for election to the offices described in Section 1 of this Article, and only elected members of the Staff Congress may nominate and cast ballots in the election of any officer.

Section 3. Duties. The officers described in Section 1 of this Article shall perform those duties as defined in the Bylaws of

the Staff Congress and such other duties as are designated by the Staff Congress.

Section 4. Term of Office. Officers of the Staff Congress shall serve for a term of one year in the manner defined in the Bylaws. Each officer remains in office until an election has been conducted to elect a successor and the successor has been seated.

Section 5. Limitation. No Representative shall hold more than one office at any one time. No Representative may serve more than two successive terms in the same office.

Section 6. Removal from Office. Any officer may be removed from office for cause as defined in the Bylaws and by approval of two-thirds vote of the Staff Congress members.

## **ARTICLE VI - MEETINGS**

The Staff Congress shall meet at least monthly at a convenient time and day as defined in the Bylaws of the Staff Congress.

## **ARTICLE VII - STANDING COMMITTEES**

Standing committees of the Staff Congress shall be defined in the Bylaws.

## ARTICLE VIII - QUORUM

A quorum for conducting business at meetings shall be a majority of the Staff Congress members.

## ARTICLE IX - PARLIAMENTARY AUTHORITY

Section 1. The Staff Congress shall be governed by procedures contained in Robert's Rules of Order, latest edition, in the consideration of all matters properly referred.

Section 2. Any conflict between the source cited in Section 1 of this Article and the Constitution and Bylaws of the Staff Congress shall be resolved in favor of the Constitution first and the Bylaws second.

Section 3. Where necessary and proper, interpretation and application of governing procedures outlined in the source cited in Section 1 of this Article shall be the responsibility of the Staff Congress Parliamentarian who is appointed by the Chair of the Staff Congress.

## ARTICLE X - AMENDMENTS AND BYLAWS

Section 1. The Staff Congress retains the power to enact Bylaws to implement the provisions of this Constitution.

Section 2. A proposal to amend or change the Bylaws shall be signed by five Representatives of the Staff Congress and shall require approval by two-thirds of the membership of the Congress.

Section 3. Any proposal to amend or change this Constitution shall be signed by five Representatives of the Staff Congress or twenty-five percent of the staff.

Section 4. Proposals to amend or change this Constitution or the Bylaws must be submitted to the Secretary of the Staff Congress for placement on the agenda of the next regular meeting of the Staff Congress at least two weeks prior to said meeting.

Section 5. First consideration of a proposal to amend or change this Constitution or the Bylaws shall be voted on at a regular meeting of the Staff Congress. If the proposal receives approval by two-thirds of those Representatives present and voting, it shall be placed on the agenda of the next regular meeting for final consideration.

Section 6. Final consideration of a proposal to amend or change this Constitution shall require approval of two-thirds of the Staff Congress Representatives, and approval of the President and the Board of Regents of Morehead State University.



Section 7. Final consideration of a proposal to amend or change the Bylaws shall require approval of two-thirds of those Representatives present and voting.

#### **ARTICLE XI - RATIFICATION**

This Constitution shall be ratified upon approval by a simple majority of the staff in a special meeting called for the purpose of ratifying this Constitution and upon approval of the President and the Board of Regents of Morehead State University.

## BYLAWS

### MOREHEAD STATE UNIVERSITY

#### STAFF CONGRESS

### ARTICLE I

#### REPRESENTATION

Section 1. Responsibility. Each Representative is bound to keep informed and to represent the interests of his/her constituency.

Section 2. Election Process.

- A. Staff Congress elections shall be the responsibility of the Credentials and Elections Committee except the first election. For the first election, the following will apply.
- (1) The Staff Senate Steering Committee shall serve as the Credentials and Elections Committee.
  - (2) The Staff Senate Steering Committee shall prepare a draft copy of Staff Congress Bylaws.
  - (3) Initial Staff Congress elections shall be held in a manner and at a time to be determined.
  - (4) Initially, within each employment category, the candidate receiving the largest number of votes shall serve a three-year term, the candidate receiving the second largest number of votes shall serve a two-year term, and

the candidate receiving the third largest number of votes shall serve a one-year term. In case a term cannot be determined because of a tie vote or for some other reason, the term shall be decided by a runoff election.

(5) Initially, for the at-large candidates and according to apportionment, the four candidates receiving the first, second, third, and fourth largest number of votes shall serve three-year terms; the four candidates receiving the fifth, sixth, seventh, and eighth largest number of votes shall serve two-year terms; and the four candidates receiving the ninth, tenth, eleventh, and twelfth largest number of votes shall serve a one-year term.

(6) Once the Constitution has been ratified and Representatives elected, the Staff Congress Steering Committee shall call the first Staff Congress meeting for the purpose of electing a Chair, Vice Chair, and Secretary. Steering Committee members shall be ineligible to vote for Congress officers unless they have been duly elected as a Representative.

(7) The Staff Congress Steering Committee shall present a draft copy of Staff Congress Bylaws to the Chair. At this point, the Staff Congress Steering Committee shall be dissolved.

B. Staff Congress elections shall be conducted each year during the month of May.

- C. Information shall be circulated prior to the election month to announce and explain the election process.
- D. Each eligible staff employee may be a candidate for election to the Staff Congress by making his/her wishes known in writing to the Credentials and Elections Committee. A candidate may represent and be elected by only one of the six employment categories or by the at-large category.
- E. One member of the Credentials and Elections Committee will be responsible for receiving all nominations at his/her address. Each nomination must include the nominee's full name, constituency name, and the nominee's agreement to be elected.
- F. Central polling locations shall be designated by the Credentials and Elections Committee, and voting provisions made for afternoon, night shift, and off-campus employees.
- G. Eligible staff members who cannot vote during the designated times will be allowed to vote by absentee ballot. Absentee ballot procedures will be determined and distributed by the Credentials and Elections Committee.
- H. Eligible voters shall only vote for nominees in their employment category and in the at-large category. The maximum number of votes per staff member shall be the number



to be elected from his/her employment category and from the at-large category.

Section 3. Representation.

- A. Each permanent staff employee who has one or more years of continuous employment with the University, as of the date of the election, is eligible for nomination and election to the Staff Congress.
- B. The Representatives can be elected to represent each of the following employment categories:

Skilled Crafts

Technical/Paraprofessional

Secretarial/Clerical

Service/Maintenance

Professional/Nonfaculty

Executive/Management

- C. Twelve Staff Representatives can be elected to represent the at-large category. At-large candidates shall be apportioned so that no more than three at-large Representatives be elected from any one employment category.

Section 4. Term of Office.

- A. Each Representative shall be elected for a term of three years.
- B. Terms shall be staggered so that one third of the Representatives are elected each year.
- C. Each Representative shall retain his/her seat until an election has been conducted to select a successor, and the successor has been seated.
- D. Terms shall begin with the first regularly scheduled meeting in July.

Section 5. Permanent Vacancy.

- A. A permanent vacancy occurs for a term when an elected Representative terminates employment with the University.
- B. A permanent vacancy for a term occurs when a Representative misses three consecutive meetings or five meetings within the Congress year without cause as determined by the Credentials and Elections Committee.

- C. A permanent vacancy for a term occurs when a candidate is not nominated for election to serve the unexpired term of a permanent vacancy or for an expired term.
- D. When a permanent vacancy occurs, the person receiving the next highest number of votes in the last election in the employment category in which the vacancy occurs shall be appointed. In the event no candidate received the next highest number of votes, a replacement shall be recommended to the Congress for its approval by the Credentials and Elections Committee. In the event no candidate received the next highest number of votes or a replacement is not recommended by the Credentials and Elections Committee or the Congress disapproves of the recommendation of the Credentials and Elections Committee, the term shall remain permanently vacant until a successor has been elected.
- E. A permanent vacancy shall not be considered as part of the Congress membership.
- F. A temporary leave of absence of up to one year may be granted by petitioning the Congress. If approved, a replacement shall be chosen according to Item D of this section except electing a successor.

Section 6. Duties.

- A. Each Representative will attend all meetings and serve on committees as needed.
- B. Each Representative shall be familiar with Congress actions and respond to questions from his/her constituency.
- C. Each Representative shall have one vote and may not vote by proxy.

**ARTICLE II**

The Vice President for Administrative and Fiscal Services may be invited from time to time to attend a meeting of the Staff Congress.

**ARTICLE III**

**OFFICERS**

Section 1. Officers. The Staff Congress shall annually elect three officers from its own membership to serve for one year or until their respective successors have been elected and seated. These officers are the Chair, Vice Chair, and Secretary of the Staff Congress. These officers shall comprise the Executive



Council. The immediate past Chair of the Staff Congress shall serve as an ex-officio member of the Executive Council. For the first session of Congress, the Chair of the Steering Committee will be designated as the immediate past chair.

Section 2. Eligibility - Who May Vote. All elected members of the Staff Congress are eligible for election to the offices stated in Section 1 of this Article. Only elected members of the Congress may make nominations and cast ballots in the election of any officer of the Congress.

Section 3. Election of Officers. Elections to the offices stated in Section 1 of this Article shall be conducted by secret ballot at the July meeting of the Staff Congress.

- A. The Parliamentarian of the Staff Congress shall be the presiding officer for that portion of the meeting devoted to such elections. The Parliamentarian shall appoint two Representatives to serve as tellers in the counting of votes cast in these elections. Any teller nominated for an office shall be ineligible to serve as a teller in the counting of the votes for the office to which he/she has been nominated; in which case, the Parliamentarian shall appoint a temporary teller to count the votes.
- B. An election to fill a vacancy in the office of either Vice Chair or Secretary of the Staff Congress shall be conducted

at the next regular meeting after such vacancy occurs and such election shall be conducted as described in Section 3 (A) of this Article.

Section 4. Duties of the Chair. The duties and functions of the Chair of the Staff Congress shall be:

- A. To preside at all meetings of the Congress.
- B. To determine, in consultation with the Secretary of the Congress, the agenda for all meetings.
- C. To issue calls for both regular and special meetings through the Secretary and in accordance with Section 5 of Article IV of these Bylaws.
- D. To receive all matters directed to the Staff Congress and to refer these to the Staff Congress or to one of its committees, as appropriate.
- E. To represent the Staff Congress in the University community and in the community at large.
- F. To appoint all ad hoc committees as described in Article VII of these Bylaws, and, as appropriate, to appoint Staff Representatives to University groups with designated staff representation.

- G. To enforce the Constitution and Bylaws of the Staff Congress.
- H. To exercise other duties and functions as specified by the Staff Congress.

Section 5. Duties of the Vice Chair. The duties of the Vice Chair of the Staff Congress shall be:

- A. To preside at meetings of the Staff Congress in the absence of the Chair.
- B. To become Chair in the event a vacancy occurs in the office of the Chair and to notify Representatives of the Staff Congress, in writing, that he/she has become Chair.
- C. To represent the Staff Congress when appointed to do so by the Chair.
- D. To perform other duties as specified by the Chair.

Section 6. Duties of the Secretary. The duties and functions of the Secretary of the Staff Congress shall be:

- A. To keep accurate minutes of regular and special meetings of the Staff Congress and to distribute copies of same to the Representatives of the Staff Congress at least five working days prior to the next meeting.

- B. To keep a roll of the membership of the Staff Congress and an accurate record of each Representative's attendance at meetings of the Staff Congress.
- C. To assist the Chair in determining the agenda for meetings of the Staff Congress as set forth in Section 4 of Article IV of these bylaws.
- D. To issue notices for all meetings of the Staff Congress as set forth in Section 3 of Article IV of these Bylaws.
- E. To preside at meetings of the Staff Congress in the absence of both the Chair and Vice Chair and to appoint a Secretary Pro-tem to record the minutes of such meetings.
- F. To perform other duties as specified by the Chair.

Section 7. Appointment and Duties of the Parliamentarian.

Within one week following the election of officers, the Chair of the Staff Congress shall appoint a Representative to serve as Parliamentarian. The duties of the Parliamentarian shall be:

- A. To assist the Chair in maintaining order at meetings of the Staff Congress.



- B. To interpret and apply Robert's Rules of Order (latest revision) when so requested by either the Chair or by motion duly adopted by the Staff Congress.
- C. To serve as presiding officer of the Staff Congress only for that portion of the July meeting in which officers are to be elected in accordance with Section 3 of this Article.
- D. To keep and maintain an accurate and up-to-date copy of the Constitution, Bylaws, and all amendments made thereto and to transmit the same to his/her successor.
- E. To serve as Parliamentarian for a term of one year concurrent with the term of Chair of the Staff Congress.

Section 8. Removal of Staff Congress Officers. An officer of the Staff Congress may be removed from office upon determination of willful violation of the Staff Congress Constitution, Bylaws, or policies or procedures; malfeasance in office; or neglect of duty to the Congress. No officer shall be removed without approval of two-thirds of the Representatives of the Staff Congress.

- A. A petition requesting the removal of an officer must be signed by one third of the currently-elected Representatives and must specify the grounds for such removal.

- B. Such petition shall be delivered to the Chair of the Credentials and Elections Committee who shall immediately deliver a copy of such petition, without signatures, to the officer named therein and schedule a meeting of the Credentials and Elections Committee to consider the petition.
- C. The officer named in the petition shall have five working days from the date of receipt of the copy of the petition from the Credentials and Elections Committee to respond either in writing or in person to the Credentials and Elections Committee.
- D. The Credentials and Elections Committee shall consider all information pertinent to the petition and make its recommendation to the Congress no later than the second regular meeting of the Staff Congress following receipt of the petition. The Credentials and Elections Committee shall maintain a complete and confidential record of its proceedings.
- E. Debate on the recommendation of the Credentials and Elections Committee concerning the removal of an officer shall be conducted by the Congress in an executive session. The Chair of the Credentials and Elections Committee shall preside.
- F. The Congress, in open session, shall vote by secret ballot on the recommendation of the Credentials and Elections

Committee. Ballots will be tallied by the members of the Credentials and Elections Committee, and the result announced to the Congress by the Chair of the Credentials and Elections Committee.

- G. If the officer named in the petition for removal voluntarily resigns from office at any point during the procedures indicated in this Section, the petition for removal shall be considered void.

## ARTICLE IV

### MEETINGS

Section 1. Time. The Staff Congress shall hold regular meetings as annually determined by the Executive Council.

Section 2. Place. The Staff Congress shall hold its regular meetings in a location and at a time as determined by the Executive Council. The scheduling for the meeting location shall be done by the Secretary.

Section 3. Notice of Meetings. Written notice, stating the place, date, time, and agenda of each meeting shall be delivered to Representatives of the Staff Congress not less than five working days before a regular meeting and not less than three working days before a special meeting.



Section 4. Agenda. The Chair of the Staff Congress, in consultation with the Secretary, shall determine the agenda for each meeting.

- A. Each committee and Representative of the Staff Congress may submit agenda items to the Secretary not less than seven working days before a regular meeting.
- B. The order of the agenda shall be in accordance with Robert's Rules of Order (latest revision). Any conflict between this source and the Constitution and Bylaws of the Staff Congress shall be resolved in favor of the Constitution first and the Bylaws second.

Section 5. Special Meetings. A special meeting of the Staff Congress may be called at the discretion of the Chair or shall be called within ten days of a written petition submitted to the Chair by seven Representatives or by a majority vote of those Representatives present during a regular meeting.

Section 6. Open Meetings. Meetings of the Staff Congress shall be open to visitors. Visitors shall be seated separately from the Representatives and will be recognized by the Chair only when prior arrangements have been made with the Chair or the Secretary of the Staff Congress.



Section 7. Executive Session. The Congress reserves the right to move into executive session upon majority vote of the Representatives present.

## ARTICLE V

### VOTING

Section 1. Voting. The method of voting during each meeting of the Staff Congress shall be determined by the Chair at the time of the vote. The total vote shall be determined by the Chair, who may appoint two Representatives to assist in totaling the number of votes.

Section 2. Roll Call Votes. A roll call vote may be called at the discretion of the Chair or shall be called upon request of a Representative with concurrence of one third of the voting members present. A roll call vote shall be called automatically in case of a contested vote.

Section 3. Quorum. Article VIII of the Constitution provides that a quorum shall be a majority of the current elected membership.

Section 4. Debate. Debate or discussion shall be limited to twenty minutes per motion unless an extension of time is voted by

two-thirds of voting members present. The time shall be kept by the Vice Chair.

Section 5. Tie Votes. The Chair or presiding officer shall vote only in case of a tie vote.

## ARTICLE VI

### STANDING COMMITTEES OF THE STAFF CONGRESS

Section 1. Function. The function of standing committees is to provide the Staff Congress with working bodies that entail specific areas of responsibility to enable a planned and coordinated direction for the business of the Staff Congress.

Section 2. Appointment.

- A. Each school year at the first scheduled meeting, or when a permanent vacancy occurs, the Executive Council shall report to the Staff Congress vacancies in standing committee memberships and shall nominate to the Staff Congress the name of a Representative for each vacancy.
- B. After nominations by the Executive Council have been reported to the Staff Congress, the Chair shall call for nominations

from the floor before nominations are closed and voting commences. A majority vote shall be required to elect.

- C. A Representative may serve on three standing committees at a time and shall serve for the duration of his/her term.
- D. Standing committees shall be composed of a minimum of five members including a chairperson.

### Section 3. Standing Committees.

- A. Personnel Policies Committee. This committee shall function in an advisory and coordinating capacity to continuously make recommendations for adjustments, improvements, and refinements in all personnel policies. This committee shall also study other matters as may be referred by the Staff Congress.
- B. Fiscal Affairs Committee. The Fiscal Affairs Committee may make studies, review projected expenditures, and advise the Staff Congress on those matters affecting the economic welfare of the University and the staff, their families and dependents.
- C. Personnel Benefits Committee. This committee shall function in an advisory and coordinating capacity to continuously make recommendations for adjustments, improvements, and

refinements in all matters related to personnel benefits. This committee shall also study other matters as may be referred by the Staff Congress.

D. Credentials and Elections Committee. The basic goal of the Credentials and Elections Committee shall be to conduct continuing studies of the structure of the University staff in order to insure that the Staff Congress continues to represent all staff employees. In addition, the Credentials and Elections Committee shall be charged with certifying candidates for election, conducting elections of Representatives to the Staff Congress as set forth in Article I of these Bylaws, and other matters as referred by the Staff Congress.

E. Liaison Committee. The Liaison Committee shall maintain continuing liaison with the Faculty Senate, Student Government, the Administration, and other University governing bodies that may be pursuing similar or common goals to facilitate coordination and permit joint effort and cooperation on matters of mutual interest and direction.

The Congress retains the right to add or delete standing committees as needed.



Section 4. Chairpersons of Standing Committees.

- A. The Executive Council shall nominate to the Staff Congress a Representative for each chairperson vacancy existing on standing committees.
- B. Appointment is by majority vote of the Staff Congress.
- C. Duties of Standing Committee Chairpersons shall be:
  - (1) To call for and preside at all meetings of the respective committee.
  - (2) To determine an agenda for each committee meeting.
  - (3) To insure that all matters as referred to the committee by the Staff Congress are followed through to conclusion.
  - (4) Where necessary, to insure that committee conduct is governed by procedures contained in Robert's Rules of Order (latest revision) in the consideration of all matters so referred.